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FEB 19 2004

OFFICE OF PETITIONS

**To:** USPTO Technology Center 2800 - Art Unit 2878 - Examiner: Shun Lee

**Fax No.** 703-872-9319 - After Final Communication

**Date:** February 4, 2004

**Number of pages:** 4 (including this front page)

**Re:** U.S. Patent Appl. No. 09/334,671  
"Indirect X-Ray Image Detector for Radiology"  
Applicants: ROUGEOT et al.  
Agent's Docket: 462-USA

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**To:** Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith by fax is a Notice of Appeal to the Board of Patent Appeals and Interferences from the last decision of the examiner. This Notice of Appeal is submitted in duplicate because payment is made through a Deposit Account.

It should also be noted that the Final Action in this case was issued on September 5, 2003 and was followed by a response and an Advisory Action of October 29, 2003 which maintained the rejection. A response to this Advisory Action was made by fax on January 28, 2004 by presenting a Declaration under 37 CFR § 1.132 which is believed to provide a clear rebuttal to the examiner's statement in the Advisory Action and to place the application in condition for allowance. However, if the response to the Advisory Action for whatever reason does not result in allowance, the applicant is presently filing this Notice of Appeal to pursue the case before the Board of Patent Appeals and Interferences.

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Since the response to the Advisory Action was accompanied by a petition for a two months extension of time, which runs until February 5, 2004, it is believed that no further extension fee is required for filing this Notice of Appeal. However, if any such fee is required, the Director is authorized to charge it to Deposit Account No. 162472.

Respectfully submitted,



George J. Primak  
Reg. No. 24,991  
Customer No. 026031


Encl.- Notice of Appeal, in duplicate.

PTO/SB/31 (08-03)

Approved for use through 07/31/2006. OMB 0681-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  462-USA						
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on _____  Signature _____  Typed or printed name _____	In re Application of <u>Rougeot et al.</u> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number 09/334,671</td> <td style="width: 50%; padding: 2px;">Filed June 17, 1999</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For <b>INDIRECT X-RAY IMAGE DETECTOR FOR RADIOLOGY</b></td> </tr> <tr> <td style="padding: 2px;">Art Unit 2878</td> <td style="padding: 2px;">Examiner Shun Lee</td> </tr> </table>		Application Number 09/334,671	Filed June 17, 1999	For <b>INDIRECT X-RAY IMAGE DETECTOR FOR RADIOLOGY</b>		Art Unit 2878	Examiner Shun Lee
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Art Unit 2878	Examiner Shun Lee							
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.  The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>330.00</u>  <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____  <input type="checkbox"/> A check in the amount of the fee is enclosed.  <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.  <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>162472</u>. I have enclosed a duplicate copy of this sheet.  <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.138(a) (PTO/SB/22) is enclosed.         </div> <div style="width: 15%; text-align: right;">\$ _____</div> </div> <p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 50%;"> <input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)  <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>24,991</u>  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____         </div> <div style="width: 45%; text-align: center;">           _____          Signature          George J. Primak          _____          Typed or printed name          (514) 620-3936          _____          Telephone number          February 4, 2004          _____          Date       </div> </div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>								
<input type="checkbox"/> Total of _____ forms are submitted.								


This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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